

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

ORDER OF REFERRAL

-against-

CR 05-114 (DL)

David Ian Clarke

Defendant.

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Irizarry, U.S. DISTRICT JUDGE

The defendant, David Ian Clarke, having

applied for permission to enter a plea of guilty, the court refers the matter to Magistrate Judge

Azrack to determine if the defendant, after full consultation with his/her

counsel, wishes to consent to enter his/her plea of guilty before a Magistrate Judge. If both the

Government and the defendant so consent; the Magistrate Judge is directed (1) to obtain in

writing, the consent of all parties, (2) to conduct the allocution pursuant to F.R.Crim.P., Rule 11,

(3) to make a finding as to whether the plea is knowingly and voluntarily made and not coerced,

and (4) to make a recommendation as to whether the plea of guilty should be accepted.

To facilitate the court's review of the transcript of the plea before sentencing, the court asks the Magistrate Judge to use the allocution drafted by the court in taking a guilty plea.

SO ORDERED.

Dated: Brooklyn, New York

Jan. 9, 2006

United States District Judge